STATE OF MICHIGAN MICHIGAN ADMINISTRATIVE HEARING SYSTEM ADMINISTRATIVE HEARINGS FOR THE DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:



 Reg. No.:
 2013-24211

 Issue No.:
 1000

 Case No.:
 Hearing Date:

 May 16, 2013
 Wayne 31

ADMINISTRATIVE LAW JUDGE: Susan C. Burke

SETTLEMENT ORDER

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claimant's request for a hearing. After due notice, a telephone hearing was held on May 16, 2013, from Detroit, Michigan. Participants on behalf of Claimant included Claimant. Participants on behalf of the Department of Human Services (Department) included

ISSUE

Whether the Department properly:

denied Claimant's application for benefits

 \boxtimes closed Claimant's case for benefits

reduced Claimant's benefits

for:

Examily Independence Program (FIP)?

Food Assistance Program (FAP)?

Medical Assistance (MA)?

] Adult Medical Assistance (AMP)?

State Disability Assistance (SDA)?
Child Development and Care (CDC)?
State Emergency Services (SER)?

FINDINGS OF FACT

The Administrative Law Judge, based upon the competent, material, and substantial evidence on the whole record, finds as material fact:

1. On November 1, 2012, the Department:

denied Claimant's application for benefits
 closed Claimant's case for benefits
 reduced Claimant's benefits
 under the following program(s):
 FIP FAP MA AMP SDA CDC SER.

2. On October 15, 2012, the Department sent notice to Claimant (or Claimant's Authorized Hearing Representative) of the:

	denial
\boxtimes	closure
	reduction.

- 3. On October 22, 2012, Claimant filed a request for hearing concerning the Department's action.
- 4. During the hearing, the parties reached an agreement whereby the Department would reinstate Claimant's FIP case, effective November 1, 2012.

CONCLUSIONS OF LAW

Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM), the Reference Tables Manual (RFT), and the State Emergency Relief Manual (ERM).

The Family Independence Program (FIP) was established pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, 42 USC 601, *et seq.* The Department (formerly known as the Family Independence Agency) administers FIP pursuant to MCL 400.10, *et seq.*, and 1999 AC, Rule 400.3101 through Rule 400.3131. FIP replaced the Aid to Dependent Children (ADC) program effective October 1, 1996.

The law provides that disposition may be made of a contested case by stipulation or agreed settlement. MCL 24.278(2).

In the present case, Claimant requested a hearing to dispute the Department's action. Soon after commencement of the hearing, the parties testified that they had reached a settlement concerning the disputed action. Consequently, the Department agreed to do the following: reinstate Claimant's FIP case, effective November 1, 2012.

As a result of this settlement, Claimant no longer wishes to proceed with the hearing. As such, it is unnecessary for this Administrative Law Judge to render a decision regarding the facts and issues in this case.

DECISION AND ORDER

The Administrative Law Judge concludes that the Department and Claimant have come to a settlement regarding Claimant's request for a hearing.

THE DEPARTMENT SHALL BEGIN TO INITIATE THE FOLLOWING STEPS WITHIN TEN DAYS OF THE MAILING OF THIS ORDER:

- 1. Initiate reinstatement of Claimant's FIP case, effective November 1, 2012, if Claimant is otherwise eligible for FIP.
- 2. Issue FIP supplements, in accordance with Department policy.

Jusa (. Buche Susan C. Burke

Administrative Law Judge for Maura Corrigan, Director Department of Human Services

Date Signed: June 4, 2013

Date Mailed: June 4, 2013

NOTICE: Michigan Administrative Hearing System (MAHS) may order a rehearing or reconsideration on either its own motion or at the request of a party within 30 days of the mailing date of this Decision and Order. MAHS will not order a rehearing or reconsideration on the Department's motion where the final decision cannot be implemented within 90 days of the filing of the original request. (60 days for FAP cases)

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the receipt of the Decision and Order or, if a timely request for rehearing was made, within 30 days of the mailing date of the rehearing decision.

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